

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

**In Re:** : **Chapter 13**  
:  
**Andrew Scott Vanderpool,** : **Case No. 23-60979**  
:  
**Debtor.** : **Judge John Gustafson**

**MOTION TO DISMISS CASE FOR  
FAILURE TO PROVIDE 2024 TAX RETURNS**

Now comes Dynele L. Schinker-Kuharich, Standing Chapter 13 Trustee, and hereby moves that this case be dismissed for the following reasons:

1. Debtor filed a petition for relief under Chapter 13 on August 16, 2023.
2. 11 U.S.C. §521(f) requires Debtor to submit to Trustee copies of federal and state income tax returns for each tax year while the Chapter 13 is pending at the request of the Trustee.
3. Trustee has requested copies of the 2024 federal and state income tax returns.
4. Debtor has failed to provide said tax returns to Trustee.
5. Debtor's failure to provide the requested documents is causing an unreasonable delay in the administration of the case that is prejudicial to creditors.

Now, therefore, pursuant to 11 U.S.C. §1307(c)(1), Trustee hereby requests that this case be dismissed without prejudice, and for such other relief as this Court may deem just and appropriate.

Respectfully submitted,

/s/ James R. Galehouse  
Dynele L. Schinker-Kuharich (0069389)  
Chapter 13 Trustee  
James R. Galehouse (0084867)  
Staff Counsel to the Chapter 13 Trustee  
200 Market Avenue North, Ste. 30  
Canton, OH 44702  
Telephone: 330.455.2222  
Email: [Info@Chapter13Canton.com](mailto:Info@Chapter13Canton.com)

## **NOTICE OF MOTION TO DISMISS CASE**

Dynele L. Schinker-Kuharich, the Standing Chapter 13 Trustee, has filed papers with the Court to have this bankruptcy case Dismissed.

**Your rights may be affected.** You should read these papers carefully to discuss them with your attorney, if you have one, in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to dismiss this bankruptcy case, or if you want the Court to consider your views on the Motion to Dismiss this case, then on or before **May 26, 2025**, you or your attorney must file with the Court an Objection to the Motion to Dismiss at:

Clerk of Court  
United States Bankruptcy Court  
Ralph Regula Federal Building  
401 McKinley Ave S.W.  
Canton, OH 44702

If you mail your Objection to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also send a copy to: Dynele L. Schinker-Kuharich  
Chapter 13 Trustee  
200 Market Avenue North, Suite 300  
Canton, Ohio 44702

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: May 5, 2025

/s/ James R. Galehouse  
Dynele L. Schinker-Kuharich (0069389)  
Chapter 13 Trustee  
James R. Galehouse (0084867)  
Staff Counsel to the Chapter 13 Trustee  
200 Market Avenue North, Ste. 30  
Canton, OH 44702  
Telephone: 330.455.2222  
Email: [Info@Chapter13Canton.com](mailto:Info@Chapter13Canton.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on May 5, 2025, a true and correct copy of the Motion to Dismiss Case and Notice thereof was served via the Court's Electronic Case Filing System upon these entities and individuals who are listed on the Court's Electronic Mail Notice List:

- Office of the United States Trustee at [RegisteredEmailAddress]@usdoj.gov
- Jonathon Carl Elgin , Counsel for Debtor Andrew Scott Vanderpool, at jc@jcelgin.com

and by regular U.S. mail, postage prepaid, upon:

Andrew Scott Vanderpool, Debtor  
57 Vernon Road  
Shelby, OH 44875

/s/ James R. Galehouse  
Dynele L. Schinker-Kuharich (0069389)  
Chapter 13 Trustee  
James R. Galehouse (0084867)  
Staff Counsel to the Chapter 13 Trustee